REMARKS

I. RESTRICTION/ELECTION REQUIREMENTS

The Office Action dated March 24, 2010 required restriction of the claims into 4 claim Groups. In response, Applicants elect Group 1, namely claims 1-20, drawn to a method of profiling a tumor/cancer in human tissue specimens.

The Office Action dated March 24, 2010 further requires the election of a single gene of the group of genes recited in claims 7-9. In response, Applicants elect insulin-like growth factor binding protein 2 (IGFBP2).

II. CLAIM AMENDMENTS

In accordance with the restriction and specific gene election requirement made in the Office Action dated March 24, 2010 required Applicants' attorney has: (1) cancelled the non-elected claims; and (2) amended claim 1 to recite the elected gene, insulin-like growth factor binding protein 2 (IGFBP2). Claim 1 has also been amended to incorporate the subject matter previously recited in claims 16 and 17. In addition, minor amendments were made to claims 2-4, 9, 15, and 18-20 for purposes of clarity, in order to correct typographical errors, or to amend dependencies in view of the amendments to claim 1. These amendments are fully supported by the specification as filed and introduce no new matter.

In addition, Applicants' attorney has drafted new claims 61-68 to focus on certain subject matter recited in claims 1-4, 9, 12-15 and 18-20. As illustrated below, these amendments are fully supported by the specification as filed and introduce no new matter. New dependent claim 61 focuses on embodiments of claim 1 that examine loss of PTEN tumor suppressor gene mRNA or protein by observing levels of insulin-like growth factor binding protein 2 protein (i.e. a subset of the subject matter recited in independent claim 1). New dependent claim 62 focuses on embodiments of claim 61 that use an antibody that binds secreted insulin-like growth factor binding protein 2 polypeptide (e.g. as disclosed in the first full paragraph on page 11). New independent claim 63 also focuses on embodiments of the invention directed to methods of profiling that comprise assessing PTEN by observing levels of the IGFBP2 mRNA or polypeptides (i.e. a subset of the subject matter recited in independent claim 1). New dependent claim 64 focuses on embodiments of claim 63 that use an antibody to observe concentrations of secreted insulin-like growth factor binding protein 2 polypeptide (e.g. as disclosed in the first full paragraph on page 11). New dependent claim 65 focuses on

embodiments of claim 63 that use an antibody to observe concentrations of secreted insulin-like growth factor binding protein 2 and where increased insulin-like growth factor binding protein 2 polypeptide expression in the human cell correlates with decreased PTEN gene expression in the human cell; and decreased insulin-like growth factor binding protein 2 polypeptide expression in the human cell correlates with increased PTEN gene expression in the human cell (e.g. as disclosed in Example 3 on pages 10 and 11). New dependent claim 66 focuses on embodiments of claim 63 that examine prostate, breast of glioblastoma specimens. New independent claim 67 focuses on embodiments of the invention that use an antibody to observe concentrations of secreted insulin-like growth factor binding protein 2 polypeptide and assess PTEN gene expression (i.e. a subset of the subject matter recited in independent claim 1). New dependent claim 68 focuses on embodiments of claim 67 that use an antibody to observe concentrations of secreted insulin-like growth factor binding protein 2 polypeptide (e.g. as disclosed in the first full paragraph on page 11).

III. CONCLUSION

It is submitted that this application is now in good order for allowance and such allowance is respectfully solicited. Should the Examiner believe minor matters still remain that can be resolved in a telephone interview, the Examiner is urged to call Applicants' undersigned attorney.

Respectfully submitted,

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